

REMARKS

The specification has been reviewed, and clerical errors of the specification have been amended.

On page 2 of the Action, claim 10 was rejected under 35 U.S.C. 112, second paragraph. In this respect, claim 10 has been amended.

On page 3 of the Action, claims 4-7 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over US 2002/0066817 in view of JP 2003-19945. Claims 10-12 were indicated to be allowable if rewritten in independent form.

In view of the rejection and indication of allowability, claims 4, 10 and 13 have been amended, and new claims 15-17 readable on the elected species have been added. Claims 1-3 have been cancelled.

In particular, claim 4 has been amended to clarify the feature of the invention. Claim 10 has been amended to independent form. Since claim 10 is allowable, patentability of claim 4 will be explained hereinafter.

A seat belt retractor of claim 4 includes, in part, a plate member capable of deforming plastically and having one end attached to the plate fitting member and the other end engaging the cylinder member. The other end engaging the cylinder member initially approaches the one end in an emergency situation while deforming the plate member to absorb rotation of the cylinder member.

Namely, as recited in claim 15, the plate member has a portion partly overlapping each other between the one end and the other end in a condition that the plate member is assembled initially.

In the structure of the invention, the plastic deformation of the plate member can be effectively utilized in absorbing the rotation of the cylinder member.

In the Action, it was held that "US '817 discloses an apparatus having substantially all the claimed features including 'shaft member' 11, plate fitting member 12, and plate member 14."

In this connection, the structure of a bending element 14 and its operation are explained in paragraph 0029 of US '817. One end of the bending element 14 has a catch hook 16 seated in a pocket 15 of a profiled head 12, and a pre-formed portion 17 is located in a resistance facilitating element 18. When the winding shaft 10 is rotated, the bending element 14 mounted on the non-rotating profiled head 12 is pulled through the resistance facilitating element 18 to cause plastic deformation thereof.

In claim 1, as explained above, the other end engaging the cylinder member initially approaches the one end in an emergency situation while deforming the plate member to absorb rotation of the cylinder member. In US '817, the catch hook 16, i.e. one end, is fixed to the non-rotating profiled head 12, and the other end is free end. Thus, one of the ends of the bending element 14 does not approach the other.

Thus, the feature of claim 4 now clearly recited is not disclosed or suggested in US '817.

In the Action, it was held that "the member 12 has an end portion disposed inside the cylinder member 10 where it engages the torsion shaft 11 as shown analogously by the engagement between torsion shaft 12 and member 15 of JP '945 or, alternatively, that member 12 has an end portion inside the cylinder member as shown by JP '945 would have been obvious to a person having ordinary skill in the art to obtain compactness by shortening the overall axial length."

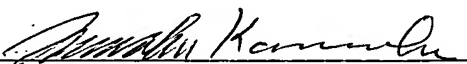
The end portion of an bending element 14 of JP '945 is fixed to a winding shaft 13, as stated in the Action. However, in JP '945 as the shaft 13 is rotated, the bending element 14 is pulled through a space of a locking device 15 to cause plastic deformation for absorbing rotation of the shaft 13. Namely, the basic operation of the bending element 14 of JP '945 is the same as the

bending element 14 of US '817. Thus, the feature of the invention as explained before is not disclosed in JP '945, as well.

Even if the end portion inside the cylinder member is arranged as suggested by the Examiner, claim 4 of the invention is not made. The feature of the invention is not obvious from the cited references.

Reconsideration and allowance are earnestly solicited.

Respectfully Submitted,

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